

Senate Bill 6 - Prefile

By: Senator Stoner of the 6th

A BILL TO BE ENTITLED

AN ACT

To amend an Act providing for the election of members of the Board of Education of Cobb County, approved March 28, 1974 (Ga. L. 1974, p. 3516), as amended, so as to provide for election of such board members in nonpartisan elections; to provide for applicability; to provide for submission of this Act for preclearance under the federal Voting Rights Act of 1965, as amended; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

An Act providing for the election of members of the Board of Education of Cobb County, approved March 28, 1974 (Ga. L. 1974, p. 3516), as amended, is amended by revising subsections (b) and (c) of Section 2 as follows:

"(b)(1) There shall be elected to the Board of Education of Cobb County one member from each of said education districts. To be eligible for membership on the board to represent an education district, a person must reside in the education district which he or she represents. There shall be one member of the board from each education district and that member shall be elected only by the voters of that education district voting for such office and not by the voters of the entire county. No person residing within the territory embraced within an independent school system shall be eligible to vote in an election for members of the board, nor shall any such person be eligible to serve on the board. In order to be eligible as a member of the Cobb County Board of Education, a candidate must be a resident from the education district from which they offer, must be a citizen of the United States of America, must have been a resident of the Cobb County School District for at least 12 months immediately preceding the date of the election, and a qualified elector of Cobb County.

(2) All elections for the Board of Education of Cobb County shall be nonpartisan elections as provided for in Code Section 21-2-139 of the O.C.G.A. Such nonpartisan elections shall be held in conjunction with the November general election immediately

preceding the expiration of the term of office and conducted as provided in Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code.'

(c) The first nonpartisan election at which members of the board of education are elected from Education Districts 1, 3, 5, and 7, as newly described in subsection (a) of this section, shall be that election conducted in 2008. The first nonpartisan election at which members of the board of education are elected from Education Districts 2, 4, and 6, as newly described in subsection (a) of this section, shall be that election conducted in 2010. Successors to members of the board whose terms of office are to expire shall be elected at the nonpartisan election immediately preceding the expiration of such terms and shall take office the first day of January immediately following that election for terms of four years and until their successors are elected and qualified."

## **SECTION 2.**

The Board of Education of Cobb County shall through its legal counsel cause this Act to be submitted for preclearance under the federal Voting Rights Act of 1965, as amended; and such submission shall be made to the United States Department of Justice or filed with the appropriate court no later than 60 days after the date on which this Act is approved by the Governor or otherwise becomes law without such approval.

## **SECTION 3.**

All laws and parts of laws in conflict with this Act are repealed.